

May 21, 2013

The National LGBT Bar Association
1301 K Street NW Suite 1100, East Tower
Washington, DC 20005

To Whom It May Concern,

It gives me great pleasure to submit this letter in support of the nomination of Doug NeJaime to be included in the Best LGBT Lawyers Under 40. Doug has been my colleague at Loyola Law School for the past five years. He has been an outstanding member of our community, excelling as a scholar, teacher, and in his commitment to institutional service. But I write here to comment specifically on Doug's achievements in the legal field and his commitment to LGBT equality. Through his teaching and mentorship, Doug is creating, inspiring, and empowering a new generation of advocates. And his work studying the law and social movements provides important and exciting new insights for LGBT lawyers and activists.

As a teacher, Doug has created numerous opportunities for our students to learn about and build community around LGBT issues. He helped organize a symposium convened by the Loyola of Los Angeles Law Review entitled "LGBT Identity and the Law." Apart from being a major event for our school, Doug's efforts let our students hear from and meet leading academics and advocates in the field. Doug also has been our faculty adviser to Outlaw, and has worked tirelessly with students to transform what had previously been a fairly typical student group into a vital source of networking for LGBT students and alumni, fundraising, and awareness raising across campus and beyond. Doug has taught a course in Law and Sexuality every year he has been at Loyola. This is one of our most popular courses; in it, he not only provides guidance to students who want to spend their lives working for equal justice in this area, but also touches students who might never have thought deeply about these issues. They may go into careers in corporate law which appear to be formally unconnected to LGBT equality, but after their experiences with Professor NeJaime (who they adore), they have a deeper awareness of LGBT issues and will be future supporters of the movement in other ways. In the recent years, Doug has also been a ubiquitous presence on leading national media outlets commenting on same sex issues. Although media commentary isn't always illuminating or helpful, Doug is both. He has managed to use this platform to thoughtfully educate the public on these issues.

Doug has also been active in bridging the gap between activists, practicing lawyers, and academics. He was a primary organizer of a major conference at UCLA Law School, "Liberty/Equality: The View from Roe's 40th and Lawrence's 10th Anniversaries," which brought together leading academics (including Reva Siegal, Jack Balkin, Geoffrey Stone, and Kenji Yoshino) and advocates (including Matt Coles, Jon Davidson, and Jennifer Pizer). Doug is also organizing a conference at Harvard Law School to be held in April 2014 on religious exemptions and LGBT and sex equality.

The reason that Doug is able to convene these leading lights is that they all deeply respect his contributions to the scholarly discourse. Doug's academic work is transforming the way we view the interactions of law and social movements, with an emphasis on LGBT advocacy. Just to give a few examples, in *Winning Through Losing*, 96 Iowa Law Review 941 (2011), Doug challenged conventional understandings of what movement lawyers gain through litigation. In showing that advocates can leverage courtroom losses to mobilize support in other forums, Doug offered a novel "lemonade from lemons" account of social movement lawyering. Confirming Doug's place amongst the leading thinkers on LGBT equality, this article won the Stu Walter Prize for Sexual Orientation Legal Scholarship and was selected for Presentation at *The Future of Equality*, Constitution in 2020 Conference at the University of Texas Law School. In *Cause Lawyers Inside the State*, 81 Fordham Law Review 649 (2012), Doug examined the phenomenon of cause lawyers who work for government agencies, addressing – for the first time – how these lawyers manage competing loyalties and offering a theoretical framework for future study of their efforts. And in *Marriage Inequality: Same-Sex Relationships, Religious Exemptions, and the Production of Sexual Orientation Discrimination*, Doug advanced a theory of an antidiscrimination regime that protects same-sex relationships under the rubric of sexual orientation, resisting the use of marriage equality legislation as a vehicle for undermining current sexual orientation-based nondiscrimination provisions. Only space limitations prevent me from discussing more of Doug's work, and I urge you to consult his cv to assess the full contribution of his scholarship.

Of course, in all of this work Doug is building on his own experiences as a lawyer working for LGBT Equality. While at Irell & Manella, Doug represented women's rights organization, including Legal Momentum (formerly NOW Legal Defense and Education Fund), the California Women's Law Center, and state chapters of NOW in same-sex marriage litigation. He drafted the briefs and coordinated the *amicus* efforts in New Jersey, California, and Washington. And even during law school, Doug worked at GLAD, working with Mary Bonauto, Jennifer Levi, and Ben Klein on same-sex marriage, sodomy litigation, HIV/AIDS, and transgender rights issues.

To top it off, Doug is also one of the kindest and most thoughtful people I have ever met. He is generous with his time and treats everyone with respect and decency. He is a tireless worker for LGBT equality, and it has been a pleasure to be a bystander to his efforts to improve people's lives. I can think of no more fitting person for this important honor. If I be helpful in any way or answer any additional questions, please let me know.

Best,

A handwritten signature in black ink, appearing to read "Michael Waterstone". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Waterstone